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April 25, 2014

Jennifer LaPoma
U.S. Environmental Protection Agency, Region II
290 Broadway
New York, New York 10007-1866

Via Electronic Mail

Re: Draft Lower Passaic River Study Area (LPRSA) Human Health Risk Assessment (HHRA) and Baseline Ecological Risk Assessment (BERA) - Administrative Agreement and Order on Consent for Remedial Investigation/Feasibility Study (RI/FS) - CERCLA Docket No. 02-2007-2009

Dear Ms. LaPoma:

The Lower Passaic River Study Area Cooperating Parties Group (CPG) is writing to inform EPA Region 2 that the CPG will be delaying its submission of the draft HHRA and BERA for the entire 17.4 miles LPRSA, which is being prepared pursuant to the May 2007 Administrative Order on Consent.

The CPG has been working diligently to complete the RI/FS pursuant to the May 2007 Administrative Order on Consent by the end of calendar year 2014 and that remains our goal. However, EPA Region 2's April 11, 2014 release of the revised Focused Feasibility Study and Proposed Plan and related attachments will require considerable attention by the CPG as the documents contain approximately 8,000 pages of text, tables, figures and appendices. The CPG needs adequate opportunity to review the key reports, which form the basis of the Focused Feasibility Study and Proposed Plan, and to understand the elements of those reports that may impact the CPG's work on the entire 17.4 mile LPRSA RI/FS.

Furthermore, the CPG requires the additional information previously promised by Region 2 related to the reference condition evaluation that has been conducted by the Region and Headquarters for the New York/New Jersey Harbor sediment sites. The CPG understands that Region 2 has recently discussed the results of the reference condition evaluation with other performing party groups at other sediments sites in the area. The CPG requests the same opportunity to be provided and then discuss the results of EPA's reference condition evaluation prior to finalizing and submitting its drafts of the baseline ecological risk assessment and human health risk assessments.

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The CPG will submit the risks assessments for the entire LPRSA RI/FS after it has completed its review of the Focused Feasibility Study risk assessments and received the reference condition evaluation previously promised by Region 2.

Furthermore, the CPG suggests postponing any RI/FS progress and coordination meetings, and discussing with the Region the timing and appropriateness of future meetings.

Please contact Bill Potter or me to discuss.

Very Truly Yours,
de maximis, inc.



Robert Law, Ph.D.
CPG Project Coordinator

cc:
Ray Basso, EPA Region 2
CPG Members
William Hyatt, CPG Coordinating Counsel
Willard Potter, de maximis, inc.